

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5160

AN ORDINANCE regarding the application of Professional Recreational Associates for a conditional use permit for an expansion of the existing Pro Sports Club, installation of additional parking and related improvements at 4455 148th Avenue NE, File No. CUDN 98-1847; denying the appeal of Larry Larson; adopting the findings of fact and conclusions of the Hearing Examiner; and approving the application, with conditions.

WHEREAS, Professional Recreational Associates filed an application for a conditional use permit and administrative design review to expand the existing Pro Sports Club, located at 4455 148th Avenue NE, and to install additional parking and construct related improvements; and

WHEREAS, on March 9, 1999, the Director of the Department of Planning and Community Development issued a decision approving the application for administrative design review and a recommendation that the application for a conditional use permit be approved with conditions; and

WHEREAS, appeals of the administrative design review approval and compliance with the State Environmental Policy Act were filed by Larry Larson, Hampton Green Apartments LLC, Bridle Trails Community Club and the City of Redmond; and

WHEREAS, subsequently the appeals by Hampton Green Apartments LLC and the City of Redmond were withdrawn; and

WHEREAS, on May 4, 5, 12, 13, 18 and 24, 1999, a public hearing was held before the Hearing Examiner on the conditional use application and the appeals of Larry Larson and the Bridle Trails Community Club; and

WHEREAS, on June 11, 1999, the Hearing Examiner issued his decision denying the appeals of the administrative design review decision, denying the appeals regarding compliance with the State Environmental Policy Act and approving the application for a conditional use permit; and

WHEREAS, on June 25, 1999, Larry Larson filed an appeal to the City Council of the Hearing Examiner decision approving the application for a conditional use permit; and

WHEREAS, on July 19, 1999, the City Council conducted a limited (closed record) public hearing on the appeal, pursuant to notice required by law; and

WHEREAS, the City Council has determined to deny the appeal, adopt the findings of fact and conclusions of the Hearing Examiner and approve the application for a conditional use permit; and

WHEREAS, the City has complied with the State Environmental Policy Act and the City Environmental Procedures Code; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council finds that the Appellant has not carried his burden of proof and has not shown that the decision of the Hearing Examiner is not supported by material and substantial evidence. The Council further finds that the decision of the Hearing Examiner is supported by material and substantial evidence. The appeal is therefore denied.

Section 2. The City Council adopts the findings of fact and conclusions of law made and entered by the Hearing Examiner as set forth in "Findings of Fact, Conclusions of Law and Order, In the Matter of the Application of Professional Recreational Associates Request for a Conditional Use Permit and Design Review Approval for an Expansion of Existing Pro Sports Club Facilities, Installation of Additional Parking and Related Improvements at 4455 148th Avenue NE," File Nos. CUDN 98-1847, DR 98-1846 and AAD 99-4, dated June 11, 1999, as the same relate to the conditional use application.

Section 3. The City Council approves the conditional use application of Professional Recreational Associates for the property located at 4455 148th Avenue NE and more particularly described as follows:

That portion of the Southeast Quarter of Section 15, Township 25 North, Range 05 East, W. M. in King County, Washington described as follows:

COMMENCING at the found monument at the Southeast corner of said Section 15; thence North 00° 56' 52" West, along the east line of said section, a distance of 1718.29 feet to the northeast corner of the South Half of the South Half of the Northeast Quarter of the Southeast Quarter of said Section 15; thence North 88° 46' 45" West, along the north line of said South Half of the South Half a distance of 50.04 feet to the westerly margin of 148th Avenue NE and the POINT OF BEGINNING; thence continuing North 88° 46' 45" West, along said north line, a distance of 6.00 feet; thence South 01° 13' 15" West a distance of 12.00 feet; thence North 88° 46' 45" West a distance of 19.14 feet; thence South 01° 13' 15" West a distance of 11.24 feet; thence North 88° 46' 45" West a distance of 413.19 feet; thence North 01° 13' 15" East a distance of 14.69 feet; thence North 88° 46' 45" West a distance of 148.27 feet, thence South 01° 13' 15" West a distance of 9.45 feet, thence North 88° 46' 45" West a distance of 63.15 feet, thence North 01° 13' 15" East a distance of 6.50 feet; thence North 88° 46' 45" West a distance of 82.60 feet; thence South 01° 13' 15" West a distance of 6.50 feet; thence North 88° 46' 45" West a distance of 151.84 feet; thence North 00° 24' 58" West a distance of 359.58 feet; thence South 88° 54' 04" East a distance of 300.48 feet; thence North 00° 24' 58" West a distance of 342.21 feet; thence South 89° 01' 27" East a distance of 577.77 feet to said westerly margin of 148th Avenue NE; thence South 00° 56' 52" East, along said westerly margin, a distance of 203.46 feet; thence North 88° 54' 04" West a distance of 280.18 feet; thence South 00° 56' 52" East a distance of 140.09 feet; thence South 88° 54' 04" East a distance of 15.01 feet; thence South 00° 56' 52" East a distance of 135.09 feet; thence South 88° 54' 04" East a distance of 265.17 feet to said westerly margin of 148th Avenue NE; thence South 00° 56' 52" East along said westerly margin a distance of 208.47 feet to the POINT OF BEGINNING.

subject to the following conditions:

A. COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES

The project shall comply with all applicable Bellevue City Codes and Ordinances including, but not limited to:

- Clearing and Grading Code - BCC 23.76
- Bellevue Development Standards
- Transportation Code - BCC 14.60
- Transp. Improvement Program – BCC 22.16
- Right-of-Way Use Permit - BCC 14.30
- Bellevue Utilities Code - BCC Title 24
- Construction Codes - BCC Title 23
- Land Use Code - BCC Title 20
- Sign Code - BCC Title 22
- Noise Control - BCC 9.18
- Uniform Fire Code - BCC 23.11

B. CONDITIONS OF APPROVAL

1. AMEND LANDSCAPE PLAN FOR SIGN VISIBILITY

To mitigate impacts to Hampton Greens Apartments and to traffic on 148th Avenue N.E., the landscape plan for the area north of the north driveway shall be amended to provide visual access to the Hampton Greens Apartment sign from the northbound travel lanes of 148th Avenue N.E. south of the north driveway. An Alternative Landscape Option (LUC 20.20.520J.) may be proposed for approval with the building permit for the parking garage. (LUC 20.30 B.140 and LUC 20.30F.145)

2. INCREASED LANDSCAPE DIMENSION/EAST PROPERTY LINE

To mitigate visual impacts of the increased building bulk and the increased activity in the vicinity of the club entrance on the adjacent Wimbledon Apartment complex the five parking stalls adjacent to the west property line of the Wimbledon Apartments shall be eliminated. In addition, the planting area along this portion of the property line shall be expanded to at least 15' in width. The expanded planting area shall include large scale evergreen shrubs (average 6' spacing) and evergreen trees of mixed height 8'-20' at plantings (average 15' spacing). (Comp. Plan Policy UD-58, LUC 20.30 B.140 and LUC 20.30F.145)

3. INCREASED BUFFER TO GARAGE/EAST PROPERTY LINE

To mitigate impacts of the proposal on the Wimbledon Apartment complex, the proposed new driveway west of the Wimbledon Apartments shall be eliminated and the vehicular connection from the south portion of the site to the north end of the site shall be provided using the drive aisles of the garage roof top parking with a driveway connection exiting from the east side of the garage roof at the new north parking lot. The 35'-40' wide area between the Wimbledon Apartment property line and the garage shall be landscaped in a manner comparable to the landscape buffer proposed for the north end of the parking garage and shall include at least seven evergreen trees 10 feet high at planting. A paved path, maximum 15 feet in width, may be provided for the movement of club equipment between the garage and the club building. The east edge of the path shall be at least 15 feet west of the Wimbledon property line. The path shall be chained or fenced at each end,

or otherwise obstructed, when not in use for movement of club equipment to prevent use by other vehicles. (Comp. Plan Policy UD-58, LUC 20.30 B.140 and LUC 20.30F.145)

4. COMPACT STALLS REQUIRED/WIDER LANDSCAPE AREA

As a condition of approval the seven surface parking stalls along the north property line shall be compact stalls to provide an additional two feet of landscape planting dimension. Evergreen shrubs or living ground cover shall be added to the planting area to supplement the proposed tree plantings. Any detention pipes or vault shall be shifted to the south, as needed so as to not interfere with the tree planting. (LUC 20.20.520, LUC 20.30 B.140 and LUC 20.30F.145)

5. GARAGE PERIMETER PLANTING

At least 26 of the new trees proposed for planting areas on the north and west perimeters of the garage shall be 10 feet high at planting.: (LUC 20.20.025E, LUC 20.30 B.140 and LUC 20.30F.145)

6. SOIL DEPTH OVER DETENTION VAULT

The soil depth for the landscaping over the detention vault at the north end of the parking garage shall average at least three feet and shall be at least two feet at any location.
(LUC 20.20.025E, LUC 20.30 B.140 and LUC 20.30F.145)

7. BUILDING COLORS

Darker, neutral/natural paint colors shall be used on all exterior portions of the building west of the main club building entrance to reduce the impact of the building bulk on the adjacent properties, reduce light impacts and reduce color contrast with the perimeter screening vegetation. The wall color of the west metal section of the building shall be Morwear #74 "Windswept, Morwear #61 "Delta Blue", Pratt & Lambert #B2/1 "Durango" or color(s) similar in value and tone. The color/value of the midsection of the building west of the entrance and east of the west metal section may be an intermediate tone to provide a transition between the light tan/off-white color of the east portion of the building and the darker color of the west portion of the building. Alternatively, the entire building may be painted the single darker color. The color of the pitched roof of the west pavilion shall be darker than the wall color to reduce the apparent building height as viewed from the Hampton Greens property. A color scheme consistent with this description must be reviewed and approved by the Director of Planning and Community Development prior to building permit issuance. (Comp Plan Policies UD-12 and UD-58, LUC 20.30 B.140 and LUC 20.30F.145)

8. MECHANICAL EQUIPMENT SCREENING

Roof plans shall be submitted with the permit application(s) for the club; the plans shall show the locations of all mechanical equipment, including any communication equipment such as satellite dishes. Screening shall be provided so that the equipment is not visible from adjacent properties and streets. All roof mounted equipment shall be screened. The screen shall be a solid, non-reflective visual barrier, equal to or greater than the height of the equipment. (LUC 20.20.525, 20.20.730, 20.30B.140, 20.30F.145)

9. TRASH COMPACTOR/SOLID WASTE/RECYCLING SCREENING

The project shall provide recycling collection area(s) according to the following requirement: 5 SF per 1000 gross square feet of retail and restaurant floor area; and 2 SF per 1000 gross square feet of office floor area. The trash compactor, solid waste and recycling collection area shall be visually screened so that the facilities are not visible from adjacent properties and streets. (LUC 20.20.725F, 20.20.525C.3, 20.30B.140, 20.30F.145)

10. WALL MOUNTED LIGHTING

To minimize light reflection from the site at night toward the adjacent residential properties, building mounted lights fixtures on the south and west sides of the building, on the north side of the building adjacent to the Hampton Greens property and on the east facing wall of the north expansion area shall be a cut off style fixture, such as RUUD WO series, so that there shall be no direct component of lighting on the building wall and no scallops of light on the wall. The source of the light shall not be visible from off the property. (Comp Plan Policy UD-12 and UD-58, LUC 20.30 B.140 and LUC 20.30F.145)

11. HOUSE SHIELDS REQUIRED

All pole-mounted light fixtures adjacent to property lines or any light fixture that would otherwise cause light spillage onto an adjacent property shall be equipped with a house side shield to eliminate any light spillage off the site. (Comp Plan Policy UD-12 and UD-58, LUC 20.30 B.140 and LUC 20.30F.145)

12. RETAINED VEGETATION AREAS/PLANTINGS

Areas of non-disturbance equal to at least 15,257 square feet shall be designated on the final site plan as Retained Vegetation Areas (RVA's) and shall be recorded on the property with King County Records and Elections prior to the certificate of occupancy for the parking garage. Plantings proposed in any RVA shall be hand planted or, if large equipment is needed for the placing of larger trees the equipment shall not be permitted to intrude into the areas of non-disturbance. (LUC 20.25H.110D and 120B., LUC 20.30 B.140 and LUC 20.30F.145)

13. NOISE/MECHANICAL EQUIPMENT

Prior to the issuance of each building permit and each mechanical equipment permit, the applicant shall provide certification by a noise consultant that the noise from all equipment associated with the building and its use will comply with the noise levels permitted by the Noise Ordinance. Prior to issuance of an occupancy permit for each building the applicant shall provide certification by a noise consultant that the required noise levels have been achieved. (BCC 9.18, LUC 20.30 B.140 and LUC 20.30F.145)

14. NOISE/GARAGE EXHAUST

The air circulation exhaust for the garage shall be located within the parking garage and the exhaust shall be directed through grated sections of the roof deck. The exhaust system shall meet the City's Noise Ordinance limit of 55 dBA daytime and 45 dBA from 10:00 p.m. to 7:00 am at the property line. Prior to issuance of an occupancy permit for each building the applicant shall provide certification by a noise consultant that the required noise levels have been achieved. (BCC 9.18, LUC 20.30 B.140 and LUC 20.30F.145)

15. NOISE/TRASH COMPACTOR, GARBAGE AND RECYCLE CONTAINERS

The trash compactor shall be baffled with an acoustical shroud to reduce operating noise level to 45 dBA. Alternatively it shall be baffled to reduce noise level to 55 dBA AND

the club shall not use the trash compactor between the hours of 10 p.m. and 7 am. All garbage and recycling carts or moveable containers shall be equipped with inflated rubber wheels to reduce noise. Prior to issuance of an occupancy permit for each building the applicant shall provide certification by a noise consultant that the required noise levels have been achieved. (BCC 9.18, LUC 20.30 B.140 and LUC 20.30F.145)

16. NOISE/MOTORCYCLE PARKING

All motorcycle parking shall be located within the garage structure. An area for motorcycle parking shall be designated within the garage. Prior to issuance of an occupancy permit for each building the applicant shall provide certification by a noise consultant that the required noise levels have been achieved. (BCC 9.18, LUC 20.30 B.140 and LUC 20.30F.145)

17. NOISE/NORTH PROPERTY LINE

An eight foot high solid wood fence shall be provided on the property side of the landscape buffer at the entrance to the garage to reduce noise levels at the north property line as recommended by the noise consultant's study. Prior to issuance of an occupancy permit for each building the applicant shall provide certification by a noise consultant that the required noise levels have been achieved. (BCC 9.18, LUC 20.30 B.140 and LUC 20.30F.145)

18. LOT COVERAGE/VFW BUILDING

Prior to the issuance of the building permit for any portion of the expansion which would, if constructed, cause the lot coverage on the site to exceed 35%, the applicant shall demolish the existing VFW building. (LUC 20.20.010)

19. CLUB BUSINESS HOURS

The Club's business hours are 5 a.m. to 11 p.m. weekdays and 7 a.m. to 10 p.m. Saturdays and Sundays. The proposed expansion does not include approval of any expansion of the Club's business hours. Any use of the VFW building for club activities during construction shall be limited to these hours also. (LUC 20.30 B.140 and LUC 20.30F.145)

20. USE OF NORTH PARKING LOT

To mitigate impacts to the Wimbledon Apartment complex, use of the 55 parking stalls in the north parking lot which are within 70 feet of the Wimbledon Apartment's north property line shall be limited to the hours between 7 a.m. and 10 p.m. weekdays and weekends. Signs to notify club members of the prohibition shall be prominently displayed at the boundaries of, and within, the restricted area. Prior to issuance of the first occupancy permit for the club building expansion, the applicant shall record an agreement with King County Recording to restrict parking as described above. (Comp. Plan Policy EN-40, LUC 20.30 B.140 and LUC 20.30F.145)

21. VALET AND ASSISTED PARKING REQUIRED

To prevent parking by club members on adjacent properties or within fire lanes, the applicant shall provide valet-assisted and full valet parking service during the peak hours (weekdays 4:30 p.m. to 8:00 p.m.) to achieve maximum efficient use of the stalls provided and to provide "stacking", i.e. parking of cars behind each other, if needed to accommodate demand. The service shall be provided during the higher usage months of January,

February, March, April, May, June and October. The requirement shall apply only in the instance that demand exceeds 90% of the parking supply. If, after a minimum continuous period of one year following completion and occupancy of the club expansion, the applicant can demonstrate based on actual parking counts that the parking demand is less than anticipated for the peak periods such that a reduction in the valet program would not result in impacts to the adjacent properties, the Director may approve a reduced valet parking program. The Director may require an increase in the timing and/or staffing of the program if club members or staff (who are not residents of the adjacent property) exhibit a pattern of parking on adjacent properties. If parking demand exceeds the capacity of the valet parking service to accommodate all vehicles on-site, the club shall provide off-site parking and shuttle service to and from the club from such parking. (LUC 20.20.590, LUC 20.30 B.140 and LUC 20.30F.145)

22. PARKING FOR CLUB DURING GARAGE CONSTRUCTION

Prior to issuance of the clearing and grading permit for the garage, the applicant, at a minimum, shall provide for parking at the peak month/five day average ratio of 2.83 stalls/1000 S.F. for the existing club and shall provide for shuttle service to and from the Club for all off site parking. The off site parking plan shall be submitted for review and approval to the Department of Planning and Community Development. (LUC 20.20.590)

23. WATER QUALITY

The applicant shall submit a temporary erosion and sedimentation control (TESC) plan with the clearing and grading permit application. The project must meet applicable state water quality requirements for allowable total suspended solids and turbidity of the stormwater runoff discharged from the site during construction. The TESC plan must present the best management practices (BMP) that will be implemented for the project in order to meet the water quality requirements. The BMP's may include, but are not limited to, the following:

- Erosion control measures - plastic covering, geotextile matting, mulch
- Sedimentation measures - silt fence, sediment pond
- Treatment measures - flocculent application, discharge to sanitary sewer. (BCC 23.76)

24. GEOTECHNICAL CONSTRUCTION MONITORING

To mitigate potential adverse impacts to earth and water resources and to ensure conformance with the recommendations in the geotechnical report dated December 16, 1997 by Terra Associates, Inc., site earthwork, drainage control, foundation placement and retaining wall construction shall be monitored by the professional geotechnical engineer of record. The geotechnical engineer of record shall submit inspection reports documenting the degree of conformance to the recommendations in the geotechnical report. (BCC 23.76)

25. WATER, SEWER, STORM DRAINAGE SYSTEMS

Utility Department approval of the DR-98-1846 and CUDN-98-1847 is based on the conceptual design only. Changes to the site layout may be required to accommodate the utilities after utility engineering is approved. The water, sewer, and storm drainage systems shall be designed per the current City of Bellevue Utility Codes and Utility Engineering Standards. All design review, plan approval, and field inspection shall be performed under the Developer Extension Agreements. (BCC Title 24.02, 24.04, 24.06)

26. FIRE SPRINKLERS

Automatic fire sprinklers shall be installed in accordance with the Uniform Building Code Standard 9-1 throughout all existing and new buildings as required by BCC 23.11.102. Fire alarm systems shall be installed in accordance with Uniform Fire Code Section 1007. (BCC 23.11.102, Uniform Fire Code Section 1007)

27. TRAFFIC SIGNAL DESIGN AND CONSTRUCTION

The applicant shall design the traffic signal at the PSC north driveway to meet all City of Redmond and applicable City of Bellevue standards. The City of Redmond shall review and approve the signal design prior to issuance of any building permit. The signal shall be constructed and in operation prior to occupancy of the parking garage. (Bellevue Comp. Plan Policy TR-32, LUC 20.30 B.140 and LUC 20.30F.145.)

28. TRAFFIC SIGNAL EQUIPMENT INSTALLATION

The applicant must design and install the necessary equipment, conduit and wiring to interconnect the new traffic signal to the existing signals on 148th NE/NE 40th and 148th NE/NE 51st. (Bellevue Comp. Plan Policy TR-32, LUC 20.30 B.140 and LUC 20.30F.145.)

29. CENTER MEDIAN MODIFICATION

Prior to occupancy of the parking garage, the applicant shall modify the center median on 148th NE to accommodate approximately 200' of northbound left turn pocket for the intersection of 148th NE/north driveway. (Bellevue Comp. Plan Policy TR-32, LUC 20.30 B.140 and LUC 20.30F.145.)

30. BELLEVUE IMPACT FEE

The applicant must pay the traffic impact fee under the provisions of Bellevue City Code 22.16. The proposed development is within Impact Fee Area (2). The fee will be based on \$909.85 for each new p.m. peak hour trip. The fee will be due before the issuance of the building permit for the garage. It is required that the developer of this proposal pay the fee schedule in effect when the City issues the building permit. (BCC 22.16)

31. REDMOND TFP MITIGATION

Prior to issuance of a certificate of occupancy for the garage, the applicant will make a maximum payment of \$136,552.00 towards the City of Redmond's TFP improvements as detailed in the spreadsheet contained in the Entranco PSC traffic impact analysis, Appendix A dated February 24, 1999. (SEPA, Bellevue Comp. Plan Policy TR-32)

32. MITIGATION FOR STATE PROJECT IN REDMOND TFP

Prior to issuance of a certificate of occupancy for the garage, the applicant shall contribute a maximum payment of \$105,247.00 to Redmond as a pro rata share of the total local contribution to the costs for the NE 40th Street Interchange project. The actual amount of the contribution shall not exceed this amount. If WSDOT so requests in writing, the money shall be paid directly to WSDOT for use on the NE 40th Street Interchange project.

33. REDMOND BROTS MITIGATION

Prior to issuance of a certificate of occupancy for the garage, the applicant will make a maximum payment of \$566,143.00 to mitigate adverse impacts in Redmond identified in the ONP/BROTS Draft EIS, April 1998. This BROTS payment is derived from the amounts specified in the spreadsheet contained in Appendix F of the Entranco traffic impact analysis for PSC. The City of Bellevue will place the mitigation fees collected in a holding account, or require deposit by the applicant in a bank account assigned to Bellevue, until the Cities of Bellevue and Redmond adopt a financing mechanism for implementation of BROTS projects. If this adopted financing mechanism results in a BROTS fee that is lower than imposed by this condition, the City will refund the overpayment. If the financing mechanism results in a BROTS fee that is higher than imposed by this condition, no additional payment will be required. Redmond will be responsible for accounting and application of the funds to specific projects and complying with applicable laws. If Redmond adopts a funding plan for its share of BROTS projects which does not involve the collection of impact fees from new development within Bellevue, this condition shall be void. (SEPA, BCC 22.165 & 22.02.140, Comp. Plan Policies TR-27, 30, 32 & 35)

34. JOINT CITY BROTS MITIGATION

Prior to issuance of a certificate of occupancy for the garage, the applicant will make a maximum payment of \$43,194.00 for jointly funded BROTS projects to mitigate adverse impacts in Redmond identified in the ONP/ BROTS Draft EIS, April 1998. The amount to be paid to Redmond will be determined when the two cities have determined funding responsibilities. The portion of this amount directed to Bellevue, that Bellevue recovers through its impact fee program, will be deducted from the \$43,194.00. The estimated payment shall reflect full payment by this development for projects identified as joint BROTS projects in Appendix F of the Traffic Impact and Parking Analysis. This BROTS payment is derived from the amounts specified in the spreadsheet contained in Appendix F of the Entranco traffic impact analysis for PSC. The City of Bellevue will place the mitigation fees collected in a holding account, or require deposit by the applicant in a bank account assigned to Bellevue, until the Cities of Bellevue and Redmond adopt a financing mechanism for implementation of BROTS projects. If this adopted financing mechanism results in a BROTS fee that is lower than that imposed by this condition, the City will refund the overpayment. If the financing mechanism results in a BROTS fee that is higher than imposed by this condition, no additional payment will be required. Redmond will be responsible for accounting and application of the funds to specific projects and complying with applicable laws. If Redmond adopts a funding plan for its share of BROTS projects which does not involve the collection of impact fees from new development within Bellevue, this condition shall be void.

35. ADA DESIGN FOR STREET FRONTAGE IMPROVEMENTS

The applicant shall design and construct all street frontage improvements and non-motorized facilities to meet the intent of applicable requirements of the American with Disabilities Act. (BCC 14.60.181)

36. OFF STREET CONSTRUCTION PARKING

The applicant shall secure sufficient off-street parking for construction workers before the issuance of clearing and grading, building, foundation or demolition permits. (BCC 14.30)

37. RIGHT OF WAY USE PERMIT

The applicant shall secure a right-of-way use permit from the Transportation Department before the issuance of clearing and grading, building, foundation, or demolition permits. The permit shall include:

- a. Designated truck hauling routes.
- b. Truck loading and unloading activities.
- c. Location of construction fences.
- d. Hours of construction and hauling.
- e. Provisions for street sweeping, excavation, and construction
- f. Location of construction signing and pedestrian detour routes
- g. All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access along 148th NE during construction of this project. Access shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevent access. General materials storage and contractor convenience are not reasons for preventing access. (Bellevue City Code 14.30, 11.70)

38. ON SITE STOP SIGN REQUIRED

Prior to the beginning of any construction activities, the applicant shall provide a stop sign at the exit from the north parking lot where it intersects with the shared north driveway access easement for the Hampton Greens Apartment complex. (Bellevue Comp. Plan Policy TR-32, LUC 20.30 B.140 and LUC 20.30F.145.)

39. RESTRICTIONS ON CONSTRUCTION TRAFFIC ON EASEMENT

To mitigate potential access impacts to Hampton Greens Apartments during construction, the portion of the shared north driveway access easement located between 148th Avenue N.E. and the entry drive to the Pro Sports Club parking area shall be used by large construction vehicles, such as are used for hauling of dirt or construction materials, only between the hours of 8:30 a.m. to 3:30 p.m. weekdays. Signs shall be posted at the entry and exit to the easement noting the limitation on the use of the easement. (Comprehensive Plan Policy S-BT-65, LUC 20.30 B.140 and LUC 20.30F.145)

40. RESTRICTION ON WEEKEND AND HOLIDAY CONSTRUCTION

To mitigate potential noise impacts on residents of the Wimbledon and Hampton Green Apartments, construction on the underground garage shall not take place on weekends or Federal holidays. (Comp. Plan Policy SBT-65, LUC 20.30B.140)

Section 4. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 2nd day of August, 1999, and signed in authentication of it passage this 2nd day of August, 1999.

Mike Creighton, Mayor

Approved as to form:
Richard L. Andrews, City Attorney
Richard Gidley, Deputy City Attorney

Attest:

Myrna L. Basich, City Clerk
Published August 6, 1999